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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 IN RE: UBER TECHNOLOGIES, INC.,  
9 PASSENGER SEXUAL ASSAULT  
10 LITIGATION

11 This Document Relates to:  
12 ALL CASES  
13

Case No. 23-md-03084-CRB

**AFFIDAVIT OF TIFFANY R. ELLIS IN  
SUPPORT OF PLAINTIFFS' LIST OF  
DISPUTED ENTRIES FOR SPECIAL  
MASTER REVIEW**

Judge: Honorable Barbara S. Jones

1 I, Tiffany R. Ellis, hereby declare as follows:

2 1. I am a partner of Peiffer Wolf Care Kane Conway & Wise, an attorney licensed in  
3 the States of Michigan and Illinois and duly admitted to practice before this Court, representing  
4 Plaintiffs in the above caption action.

5 2. I submit this declaration in support of Plaintiffs' List of Disputed Entries for  
6 Master Review on May 29, 2025.

7 3. Plaintiffs incorporate the Discovery Letter Brief Regarding Disputed Entries for  
8 Master Review filed by All Plaintiffs on March 4, 2025. *See* ECF No. 2434. Plaintiffs  
9 incorporate the brief to support the specific reasons each entry on the List of Disputed Entries  
10 was challenged. The Brief included the general background of the privilege dispute process to  
11 date, the legal standard for Plaintiffs raising challenges to Defendants' privilege log entries, and a  
12 general argument for the challenges Plaintiffs raised.

13 4. The List of Disputed Entries for Master Review Plaintiffs provided on May 29,  
14 2025, contained an entry still in dispute from Defendants' May 12, 2025 privilege log.

15 **May 12, 2025 privilege log**

16 5. Defendants sent Plaintiffs a privilege log on May 12, 2025 containing 4,204 new  
17 entries.

18 6. Fifteen of the entries related to Defendants' May 7, 2025 clawback notice.  
19 Disputed entries stemming from Defendants' May 7, 2025 clawback notice were submitted to the  
20 Master separately.

21 7. On May 19, 2025, Plaintiffs provided Defendants with a challenge letter and  
22 disputed entry list. Plaintiffs raised issue with 149 entries including 45 entries for which  
23 Defendants failed to provide enough information to allow Plaintiffs to assess Defendants'  
24 privilege claims. As previously raised in Plaintiffs' Discovery Letter Brief Regarding Disputed  
25 Entries for Master Review filed by All Plaintiffs on March 4, 2025, "[i]f the asserted basis for a  
26 withholding or redaction is attorney-client privilege, the privilege log must be sufficiently  
27 detailed to allow a party to conclude that the communication was "between attorneys and clients,  
28 which are made for the purpose of giving legal advice." *In re Grand Jury*, 23 F.4th 1088, 1091

1 (9th Cir. 2021)(quoting U.S. v. Sanmina Corp., 968 F.3d 1107, 1116 (9th Cir. 2020)). Plaintiffs  
2 repeatedly raised similar concerns throughout the privilege logging process that Defendants, at  
3 times, fail to provide enough information for Plaintiffs to assess their privilege claims.

4 8. The Parties conferred on May 27, 2025. During the conferral, Defendants stated  
5 that no additional metadata was available for the entries flagged as lacking sufficient  
6 information.

7 9. On May 29, 2025, Plaintiffs provided their final list of 133 disputed entries to the  
8 Master and Defendants. The Plaintiffs noted 14 entries subject to the clawback process. Since  
9 then, the disputes for nine of these clawback entries were resolved, and the remaining five  
10 disputed clawback entries are included in the Parties' May 7 clawback dispute process and  
11 briefing. Accordingly, 119 entries remain that are not subject to the clawback process.

12 Executed this 2nd day of June 2025 in Detroit, Michigan.

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14 /s/ Tiffany R. Ellis  
15 Tiffany R. Ellis  
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